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Attorneys for Defendant
24 HOUR FITNESS USA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ALBERT ALATORRE, an individual, and on
Behalf of all Others Similarly Situated,

Plaintiffs,

vs.

24 HOUR FITNESS USA, INC.,

Defendant.

CASE NO. 11-CV-04318-JCS

**STIPULATION TO CONTINUE
INITIAL CASE MANAGEMENT
CONFERENCE AND ASSOCIATED
DEADLINES; [~~PROPOSED~~] ORDER**

STIPULATION

WHEREAS Plaintiff Albert Alatorre commenced this action in this Court on
August 30, 2011;

WHEREAS the parties have signed a Putative Class Action Settlement Agreement (the
“Settlement”) in an effort to resolve the litigation on a consensual basis;

WHEREAS on September 6, 2011, Plaintiff filed its Notice of Motion and Motion for
Preliminary Approval of Class Action Settlement Agreement (the “Motion”), and such Motion is
pending before the Court;

WHEREAS the Settlement, if approved by the Court, will resolve this litigation and obviate
the need for a case management conference;

1 WHEREAS, the parties previously stipulated, and this Court ordered on October 31, 2011,
2 that defendant is not required to file an answer or other pleading in response to the complaint
3 pending the Court's ruling on preliminary and final approval of the Settlement;

4 WHEREAS, the Initial Case Management Conference is currently scheduled for December
5 14, 2011;

6 WHEREAS, the parties have agreed that continuing the Initial Case Management Conference
7 would best serve judicial efficiency and is the interests of the parties;

8 WHEREAS, pursuant to Local Rules 6-1 and 6-2, the parties may stipulate in writing
9 requesting an order to continue the date of the case management conference.

10 NOW THEREFORE, IT IS HEREBY STIPULATED, pursuant to Local Rules 6-1 and 6-2,
11 subject to the approval of the Court, by and between the parties to this case through their respective
12 attorneys of record, that:

13 The case management conference presently scheduled for December 14, 2011, is continued
14 to January 27, 2012 at 1:30 p.m.

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16 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

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18 DATED: November 22, 2011

Respectfully submitted,

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20 **KIRKLAND & ELLIS LLP**

21 By: /s/ Adam W. Holbrook

22 Elizabeth L. Deeley
Nickolas A. Kacprowski
Adam W. Holbrook

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26 Attorneys for Defendant
27 24 HOUR FITNESS USA, INC.
28

1 DATED: November 22, 2011

**WASSERMAN, COMDEN, CASSELMAN
& ESENSTEN, L.L.P.**

2 By: /s/ Melissa M. Harnett

3 Melissa M. Harnett

4 Robert L. Esensten

Gregory B. Scarlett

5 WASSERMAN, COMDEN, CASSELMAN
& ESENSTEN, L.L.P.

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9 Attorneys for Plaintiffs

10 ALBERT ALATORRE and on behalf of others
similarly situated

11 DATED: November 22, 2011

KELLER GROVER, LLP

12 By: /s/ Jeffrey F. Keller

13 Jeffrey F. Keller*

Kathleen R. Scanlan

14 KELLER GROVER, LLP

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17 Attorneys for Plaintiffs

18 ALBERT ALATORRE and on behalf of others
similarly situated

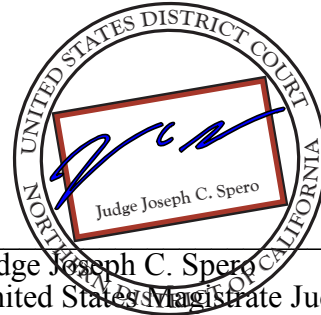
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27 * I, Adam W. Holbrook, am the ECF user whose ID and password are being used to file this Stipulation to Continue
28 Initial Case Management Conference and Associated Deadlines; [Proposed] Order. In compliance with General Order
45, X.B., I hereby attest that the following attorneys have concurred in this filing: Melissa M. Harnett and Jeffrey F.
Keller, Counsel for Plaintiff Albert Alatorre and on behalf of others similarly situated.

[PROPOSED] ORDER

Pursuant to the parties' stipulation, the Initial Case Management Conference presently scheduled for December 14, 2011, is continued to January 27, 2012 at 1:30 p.m.

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: 11/23/11 _____



Judge Joseph C. Spero
United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned hereby certify that all counsel of record who have consented to electronic service are being served with a copy of the attached STIPULATION TO CONTINUE INITIAL CASE MANAGEMENT CONFERENCE AND ASSOCIATED DEADLINES; [PROPOSED] ORDER via the CM/ECF system on November 22, 2011.

DATED: November 22, 2011

By: /s/ Adam W. Holbrook
Adam W. Holbrook